

By: Paddie

H.B. No. 11

A BILL TO BE ENTITLED

AN ACT

relating to the extreme weather emergency preparedness of facilities for providing electric service.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 35, Utilities Code, is amended by adding Section 35.0021 to read as follows:

Sec. 35.0021. WEATHER EMERGENCY PREPAREDNESS. (a) In this section, "extreme weather emergency" means a period when:

(1) the previous day's highest temperature did not exceed 10 degrees Fahrenheit and the temperature is predicted to remain at or below that level for the next 24 hours according to the nearest National Weather Service reports; or

(2) the National Weather Service issues a heat advisory for any county in the relevant service territory, or when such an advisory has been issued on any one of the previous two calendar days.

(b) The commission by rule shall require each provider of generation in the ERCOT power region to:

(1) implement measures to prepare generation facilities to provide adequate electric generation service during an extreme weather emergency;

(2) make all reasonable efforts to prevent interruptions of service during an extreme weather emergency;

(3) reestablish service within the shortest possible

1 time, should an interruption occur due to an extreme weather
2 emergency; and

3 (4) make reasonable efforts to manage emergencies
4 resulting from a failure of service caused by an extreme weather
5 emergency, including issuing instructions to its employees on
6 procedures to be followed in the event of an extreme weather
7 emergency.

8 (c) The rules adopted under Subsection (b) may not neglect
9 any local neighborhood or geographic area, including rural areas,
10 communities of less than 1000 people, and low-income areas.

11 SECTION 2. Subchapter D, Chapter 38, Utilities Code, is
12 amended by adding Section 38.074 to read as follows:

13 Sec. 38.074. WEATHER EMERGENCY PREPAREDNESS. (a) In this
14 section, "extreme weather emergency" has the meaning assigned by
15 Subsection 35.0021(a), Utilities Code.

16 (b) The commission by rule shall require each electric
17 cooperative, municipally owned utility, and transmission and
18 distribution utility providing transmission or distribution
19 service in the ERCOT power region to:

20 (1) implement measures to prepare facilities to maintain
21 service quality and reliability during a weather emergency

22 (2) make all reasonable efforts to prevent interruptions
23 of service during an extreme weather emergency;

24 (3) reestablish service within the shortest possible
25 time, should an interruption occur due to an extreme weather
26 emergency; and

27 (4) make reasonable efforts to manage emergencies

1 resulting from a failure of service caused by an extreme weather
2 emergency, including issuing instructions to its employees on
3 procedures to be followed in the event of an extreme weather
4 emergency.

5 (c) The rules adopted under Subsection (b) may not neglect
6 any local neighborhood or geographic area, including rural areas,
7 communities of less than 1000 people, and low-income areas.

8 SECTION 3. The public utility commission shall adopt rules as
9 required by Sections 35.0021 and 38.074, Utilities Code, as added
10 by this Act, not later than November 1, 2020.

11 SECTION 4. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2021.